

JUDGE HUMPHREYS CONDEMNED.

(Continued from page 7)

publishing papers, and being in politics I want to say that so far as I am concerned I am absolutely opposed to a Judge being in politics. Go to the State of New York, and you will find that every single Judge on the Bench is a member of Tammany Hall or a member of the Republican organization. The Chief Justice of the Appellate Division of the court secured his position by reason of the fact that he was supported by Thomas Platt and the Republican organization. I never have been in sympathy with the disposition to condemn everything in the past. You cannot condemn everything in connection with the administration of justice under Judge Humphreys. Up until the meeting of the recent Legislature, Mr. Brown said that the Judge had his respect, and because Senator Brown has seen the hand of Judge Humphreys in some political matter, the Judge has lost his respect. Now, don't let us condemn everything, gentlemen. Judge Humphreys is an able man, and a lawyer, a brilliant lawyer, and I don't know as we have taken exception to any special act in the course of his judicial life which has been in violation of law. Which has been in violation of law, I say? If I had exercised the judicial discretion to the Judge, I would have appointed a man like Lewis. That is an exercise of discretion under the law. You cannot show he has violated any law in doing it. Had I been the Judge or if I were Judge, I would not have my balliff draw the Grand Jury or the Petit Jury, but, in doing it is there any law violated? As a member of the Bar Association, I would seek to stop such practices, but when we go to the judicial source, the President will ask, "Has there been any violation of law?" This Balliff Act was a law passed by Senator Brown and Representative Robertson and it was signed by the Governor. Unless we can base our action upon some act of the Judge in violation of law, some crime or misdemeanor, we are starting on a very unwise course, gentlemen; a course that will stir this town and the Territory from one end to the other, and accomplish nothing. Supposing you go to the appointing power, and say that Judge Humphreys gave licenses to these sixteen members of the Legislature. There are a great many things to be said with reference to these men. In my practice in the country I have met attorneys of the Bar at the lower courts, and as far as Representative Beckley is concerned, and so far as Mr. Kanaka is concerned, I may say they both represent as high an order of intelligence as some of the attorneys, at least, that I have seen practicing at the Bar of country places in which I have been. If the Judge has violated any law, well and good; but you cannot have him removed for an indiscretion in failing to exercise good judgment.

Every one who votes for this resolution votes to pursue a line of policy that will stir up strife from one end of this Territory to the other. We have no charge that looks like a crime or misdemeanor or like a violation of law. Your only complaint here is one that arises out of Judge Humphreys' temperament. At the present time Judge Humphreys has me on an appeal in the Supreme Court and I don't think he is right. I may state that I have been told in his court, in what I considered an ungentlemanly style, to sit down, or to go on with the examination.

Let me say that judicial officers are not removed lightly. You cannot find one case of where a judicial officer has been removed except upon the gravest of charges. Now, I say, these charges that Judge Humphreys has made in the Republic—I do not think that charge, if proven, would result in his removal. I do think he should have no connection with politics. The sentiment that he himself expressed on the floor of the Territorial convention, when Judge Smith spoke, should be the guiding principle of his life. Is it not true that if he had not been set upon, and he, and he, and he, pointing to various lawyers, would there have been any trouble here? There has been no trouble with reference to the Judge's decisions. No man comes here and charges him with the violation of any law. These sixteen applicants for admission to practice were admitted without an examination. I do not know. Even if the statute required an examination, I do not believe it is always done. These appointments of licenses to practice in the lower courts were not given until after the passage of this bill, ten days and upwards afterwards.

If I had been the Judge I would not have made such an appointment as that of Lewis. I would not, if Judge, use my balliffs to draw Grand or Petit Jurors. I do not believe the licensing of these attorneys, made after the passage of the bill, had a single thing to do with it. I would pass Mr. Hatch's resolution with this amendment, that a committee of five be appointed to represent to the Judge of the First Circuit Court the feelings of the Bar Association, or in the second place I would follow the suggestion made by Judge Stillman. I would say, whereas, there is serious misunderstanding between the Bar Association and the First Judge of the First Circuit, therefore, be it resolved, that the Judiciary Department be requested to send an officer or an agent here to investigate the troubles. My idea would be, with a view to establishing peace, and compromising these differences, and see whether or not they could be brought to an end, rather than to start on a career that will bring forth more trouble.

MAGOOON HEARD FROM.

Mr. Magoon. It has been said and reiterated that we are here to act in a judicial capacity, and we will but stultify ourselves if we prejudice Judge Humphreys without first giving him a fair, impartial hearing. He is entitled to a trial, I submit. Mr. Stanley has stated that if it was only a matter of professional courtesy to members of the Bar he would not vote for this resolution.

Stanley. I said I would not be here, I think.

Mr. Magoon. Are we willing to vote for resolutions not in trend with our convictions? I believe that if Judge Humphreys is guilty of the charges made against him he should be condemned, and driven out of the office of Judge. If he is correct and we can prove it—and we have not to prove it before we can put him out—you would not condemn a dog before he was proven guilty—and we are not to condemn Judge Humphreys on mere belief? I submit these matters were known long before he was promoted to the position he now holds. Despite them we had reputable members of the Bar who came forward and advocated him to the position he now holds, and he got the position, and now we propose to cast him because of his past black career. (Cries of "Not Not Not.")

These are all matters that were published day after day in the Advertiser. Dealing in all sorts of matters, unlawful

and improper. I believe that nothing has come out against Judge Humphreys character which can be considered.

As far as the appointment of Judge Humphreys of the sixteen members of the Legislature to practice law in the lower courts, I don't know as any of these charges are made in the resolution. If not, I submit that the Judge is not triable on that matter today. They are not matters upon which he is to be tried. He is to be removed only for the purposes stated in the resolution. If that is not true, then we are going back to the record. He is not receiving a fair trial. With reference to the appointment of these sixteen members of the Legislature to practice law, it may be he did corruptly appoint those men, but before he is tried and condemned for it, he should have a hearing. It has been suggested that members of the community have been licensed time and time again to practice law, without first passing an examination. Henry Smith secured a license without an examination. Mr. Hapal of Kilauea, and many others have received licenses without first passing an examination, and no attempt was ever made to condemn the party licensing them.

With reference to editing a newspaper, that is not a disability. He should not edit it; but I submit he is entitled to be heard on that question. It may be that Judge Humphreys has been wrong in that proposition. He has control of the stock, but it does not necessarily follow that he controls the policy of the paper. We all know that he has been trying to dispose of it. I submit these are matters that should go to the committee. It may be a reference of these matters would only reinforce them, and put him in a worse position than today by having the facts emphasized. That be so, let him take the consequences, but, first, let him have a fair trial. I do not want to be on that committee, and I would not be, but try him on the charges, and if they are worthy of consideration he may then be removed.

With reference to his judicial career, I am like every other man here. I am not in sympathy with the Judge's position. If he is a corrupt Judge, and uses his position for political ends, he is the most consummate fool that ever sat on the Bench. With him it has made no difference. He has criticized his friends as quickly, more quickly, than his enemies. In matters of that sort he has no one to speak for him. He has antagonized every member of the Bar, and if he is corrupt he is certainly a fool, and ought to be removed because he has no common sense. I do not believe there is a member of this Bar who can point to any one of his decisions that has been influenced by prejudice, partiality or favor. Not a member has said anything of that kind. All the members of the Bar have said they believed him to be an able, conscientious man in the discharge of his duty. I submit that he is entitled to an impartial trial before the committee duly appointed, and when that committee reports we can act on their report.

THURSTON SCORES MAGOOON.

Mr. Thurston said that as to the charge that the Advertiser had been publishing Humphreys' black record in Arizona, that Mr. Magoon himself had brought affidavits to the Advertiser showing up Humphreys' Arizona record in detail, and requested the Advertiser to publish them, and the Advertiser had refused. (Loud laughter.)

Mr. Magoon. That was when I was opposing him for Judge.

MR. ACHI SPEAKS STRONGLY.

Mr. Achi. I only want to say a few words. Mr. Magoon said we must give the Judge a fair trial. I believe in that way. We are the accusers. I believe it is our duty to make the charges against him. For myself, in order to protect my property and my liberty and that of my family, I must do something in this matter with regard to this resolution. I was in the court house the other day when I saw three attorneys, who, because they laid before the Court an affidavit signed by their client, were imprisoned. In that case, I consider that I may some time be in the same boat. I may have a client who will talk to me about his case, and to the best of my ability I will present an affidavit duly signed by my client, thinking and believing to the best of my ability that it is a good affidavit, and then I will be called by the Court to appear at 2 o'clock to answer for contempt, and be found guilty of contempt and sent to jail for thirty days. I claim the time has come for everybody to protect his rights and his liberty. Something ought to be done to Judge Humphreys. I understand Judge Hartwell was an associate lawyer in that case. Mr. McClanahan was two thousand miles away, but he was also ordered to come into court at 2 o'clock in that same afternoon, because he was a partner in the firm of Kinney & Ballou. He was called, and I don't see why he was not found guilty of contempt.

In regard to the sixteen licenses to practice law, the law is very plain. If anybody wants to practice law in this country the law says that man must be examined. Their characters must be certified to the court before they can be licensed to practice law in any of the courts of this country. Judge Humphreys, in order to get what he wanted, he only asked the members of the House, "You are a member of the House?" "Yes." "Where do you live?" "So and so." "You want a license to practice law?" "Yes." "Well, I license you so and so." Is that law? He may claim he does not know the law. If he does not know the law he should not be a Judge.

I can say before this association that I know many of these people who were granted licenses to practice law, and I tell you many of them can't draw a common complaint before the District Court. Some of these licensed men, licensed to practice law, don't know the difference between a civil and a criminal case. Is that the proper kind of a judge to have? Is that justice to the people of the country? A very important case may be given to one of these men, and maybe by the action of that man, the man who really has the best suit, he, not knowing any law, loses the case. A man, a client, may lose ten thousand dollars. I claim when a judge does that way we have a right to take action, and he ought not to be a judge. We ought, as citizens, to protect our rights, and the rights of the people, and in order to do that we must ask for the removal of this man. Before Judge Humphreys was appointed I signed my name to his application to be appointed Judge of the Supreme Court. Since then, at a late day, I found out that he was running two ways. He was judge, and also trying to run the Legislature. During the course of the situation I came down to the Senate one morning and I saw an editorial in the Republic. I saw a member of the Home Rule party stand up and move something exactly as I saw it in an article in the Republic. I know by hearsay that is Judge Humphreys' newspaper. He was running the whole thing. It was carried. I see now it was in order to get Mr. Smith imprisoned. That a balliff could be appointed by the judge, and the balliff pick out the jury, and show him the names of the men first. Then we find

a Grand Jury has put Smith on Thurston, and everybody, in prison. I believe in giving Judge Humphreys a fair trial. Let him be tried by the proper parties. We are only making charges, and in order to make them we must pass this resolution.

I support the resolution as introduced by Mr. Robertson.

MR. THOMPSON'S ADDRESS.

Mr. Thompson. Mr. President, I would like to speak on the merits of this case. I belong to the suspected class, the now-comers to the minority, and to that class who do not, as a rule, receive much consideration. At least, I judge so from the remarks that I have heard here today. However, I do not want to go on record as belonging to that detested class, the silent minority. We are here to discuss a grave question of moment. It not only affects our individual rights as practitioners, but it affects the honesty, the integrity, and the future welfare of a fellow-lawyer, though he be a Judge. It has been contended that we shall let this matter go on to Washington, and there let them decide it. We shall be the accusers, as the last speaker put it. Some of us may believe in predestination. Perhaps predestination has some supporters here, but, in an assembly of lawyers, men to whom justice should be the first and only battle cry, I must confess that I am surprised to see predestination advocated. We are not here as accusers. The matter is brought before us and we are to pass upon it calmly, deliberately, according to our consciences, fearlessly. The resolutions that have been read are accusations. If they are supported by this organization or association, then we go to Washington. If they are not supported, we should not be such until justice charges have been sifted to the bottom. Not on the remarks of one member of the Bar who gets up and tells us what he has heard in a legislative body, not what another member says he has heard in the sanctum of an editor, not upon the remarks of another who gets up and throws vials of wrath over the body of the accused, but we are here to pass on the question after it has been sifted to the bottom, and not upon an ex parte hearing.

The committee of five, advocated by Judge Whiting, a court of inquiry, meets with my hearty approval. The man is entitled to a hearing before this body the same as his tribunal would give a criminal a hearing before his court. Mr. Stewart has asked whether we could point to a single instance in Judge Humphreys' career, having this unsubstantiated talk with regard to licenses, of which I know nothing, and which has not been supported by law. We all make errors. Mr. Stewart confesses his error in having an error before the Supreme Court. Judges make them. It is human to err; to forgive is divine. Let us consider he has shown humanity. Is that any reason for our not showing humanity to him? No. The entire matter settled down—not to personal animus—but whether or not he runs a newspaper in that newspaper. I am proud to say that I have had some personal direction in it, and that some of the editorials, which have appeared in the Republic, while I have not fathered them, I have patting them upon the back as a nephew or a relation of my own. Some of those articles perhaps have shown personal animus, just as some of the articles in the Advertiser have done likewise. Some, I say, have shown personal animus, but they cannot be laid at the door of the man who controls the stock of that paper necessarily. Mr. Thurston, who owns a controlling interest in the Advertiser, has said that articles appearing there had not appeared at his instance, and I believe him. It is a matter of common knowledge that those articles have been more vituperous and less just than any articles appearing in the so-called partisan paper. It is a partisan paper, on the side of the administration, to which you appeal to set this Judge out of office. Perhaps it is the youth of inexperience which makes me say that I have had some experience in politics, and perhaps as much experience in the American people as most of the people who have lived in the Hawaiian Islands during their natural lives, and I know who supports, with drawn sword, the administration in power, receiving their compensation but their approbation. It would be foolish, a feat impossible, for the Judge to be removed even if he supported it with a partisan newspaper.

As to the sixteen lawyers I speak personally. It is not a matter of record. Perhaps it is; but some four of those sixteen men were Magistrates under the old government—District Magistrates. I have nothing but the deepest of reverence for the past. It was a clean government, so Mr. Dele says. If men under that spotless regime were competent to act as District Magistrates, surely under the enlightened regime of the present, such men should be qualified to practice before District Magistrates. Whether or not this was done before or after the passage of the Balliff bill is very material. If passed before the Balliff bill, it gives color to the remarks uttered here. If it was done after, those remarks fall like houses of cards.

Without transcending time I would suggest that to accuse a man without trial, to condemn him with the judgment of a few men is un-American. A word that does not mean very much out here, according to the newspaper reports. But, it is not only that, it is unjust and unworthy of the men who compose the Bar Association, and I am strongly in favor of, and wish to go on record as supporting the suggestion that a committee be appointed. If it is found he is unjust let him be put out. If, like that poor Roman the populace has tired of hearing him called "the just," let us not follow Rome's debilitated example, and send him out of his own city.

SENATOR BROWN AGAIN.

Mr. Brown—Before a vote is taken on this resolution it seems to me a good deal of stress has been laid on the proposition that the Bar Association, by the adoption of this resolution, is passing or trying Judge Humphreys without giving him a chance to defend himself. I am not taking that way. The first four "whereas's" are statements made with regard to the judge. The last is: "Be it resolved that a committee of five members of this association be appointed to formulate charges against the said A. S. Humphreys, and to take depositions and statements of the members of this association and other persons concerning the conduct and acts of the said A. S. Humphreys, and that said charges and depositions when so prepared, be presented to the President and Attorney General of the United States by a member or members of this bar, to be appointed by said committee of five, at all convenient times." What is that but giving him a right to come before the committee and make his defense, if any he has. The assertion that we are prejudicing him and condemning him without a chance for a defense is not true.

Motion as presented by Robertson, submitted in vote and carried. In favor of 27, against 7.

THE REPUBLICAN CEN. COMMITTEE

Several Important Resolutions
Considered and Adopted
at Meeting.

A meeting of the Republican Territorial central committee was held Monday evening, and a resolution endorsing the recommendation of Edgar Cayapass for appointment as third Judge of the First Circuit Court, was passed. The text of this resolution appears elsewhere in this paper. The following resolutions were also adopted by the meeting.

Whereas, the Legislature adjourned without passing an act appropriating the Senators, as provided for in section 30 of the Organic Act, therefore,

"Resolved, that the executive committee be and is hereby authorized and empowered to appoint a committee of three with power to draft an act to be submitted to the Congress of the United States for the appointment of Senators, in conformity with said section 30 of said Organic Act; and

"Resolved, that said executive committee be and is hereby authorized and empowered to appoint a committee of three to urge upon Congress the passage of such act, and to take such other steps as it may deem necessary to carry out the purposes of this resolution."

"Resolved, that the executive committee, together with the Republican members of the Legislature, be and hereby is authorized and empowered to advise with the Governor and heads of all bureaus and departments, when Republican, in the matter of appointments to office; and

"Resolved, that every applicant for office shall secure the endorsement of the executive committee of the district committee of the district in which he resides, and thereafter the same shall be considered by the executive committee of this committee, and the Republican members of the Legislature meeting together upon call of the executive committee; and each person shall be recommended for the appointment, provided he receives a majority vote of such joint conference."

Whereas, the executive committee was so constituted as to have a quorum in Honolulu, so as to have the affairs of the party receive prompt attention and speedy disposition; and

"Whereas, W. J. Coelho has left the Territory for an indefinite period without indicating when he would return; therefore,

"Resolved, that the office of member of the executive committee, held by him, be and is hereby declared temporarily abandoned by said W. J. Coelho, and the executive committee be and is hereby authorized and empowered to fill the office as hereinafter provided; and

"Resolved, that if any member of the executive committee should leave the Territory indefinitely, or should be unable from any cause to discharge the duties of his office, then and in that event the chairman of the executive committee shall request the executive committee of the district committee of the district from which such member was elected to elect a member to act during the absence or disability aforesaid; and if said committee should fail to elect a member in ten days after such request, then the members of the executive committee in Honolulu shall fill the vacancy."

A SPRAINED ANKLE QUICKLY CURED.

"At one time I suffered from a severe sprain of the ankle," says George E. Cary, editor of the Guide, Washington, Va. "After using several well recommended medicines without success, I tried Chamberlain's Pain Balm, and am pleased to say that relief came as soon as I began its use, and a complete cure speedily followed. This remedy has also been used in my family for frost bitten feet with the best results. I therefore recommend it to all who may need a first-class liniment." Sold by all dealers and druggists. Benson, Smith & Co., Ltd., general agents, H. T.

A VETERAN

Tells of a Thrilling Experience in the Civil War and How a Newspaper Article Saved his Life.

From the Beacon, Leonardstown, Md.

Many veterans of the Rebellion can recall incidents as thrilling as the cavalry charge in which the narrator of the following experience nearly lost his life, and, unfortunately, many of the old soldiers have disabilities that are unpleasant reminders of their days in the army. To all such this story will have a peculiar interest, and may show the way to restore health, strength and energy. Mr. William H. Whiting of Mt. Holly, Va., says:

"When the Civil War began I was living in Buffalo, and there I joined Company F of the Tenth New York Cavalry. In 1863, while serving with my company, I received a sabre cut that caused paralysis. For eight months I was obliged to lie in the hospital at Washington, D. C. I afterwards tried many doctors, but the paralysis remained as bad as ever. I suffered from chills and my general health was not good.

"This continued until about eight years ago, when I read in a newspaper of the cures effected by Dr. Williams' Pink Pills for Pale People. I began taking the pills, and soon found they were doing me good. In six months' time I was completely cured. The paralysis was not returned, and I never have the chills now. My general health is also better than when I began taking Pink Pills for Pale People. I always keep them with me, and in the eight years that have passed since I first took them, I have never had occasion to call on a doctor.

"I have recommended Dr. Williams' Pink Pills to many people, and good results have always followed their use." Signed, WILLIAM H. WHITING.

Subscribed and sworn to before me this 14th day of January, 1901.

JOHN L. BEALE,
Notary Public.

Dr. Williams' Pink Pills for Pale People are sold by all dealers, or will be sent postpaid on receipt of price, 50 cents a box, or six boxes for \$2.50 (they are never sold in bulk or by the hundred), by addressing Dr. Williams' Medicine Company, Schenectady, N. Y.

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Exclusively, for preserving, purifying, and beautifying the skin, for cleansing the scalp of cruds, scales, and dandruff, and the stopping of falling hair, for softening, whitening, and soothing red, rough, and sore hands, in the form of baths for annoying irritations, inflammations, and chafings, or too free or offensive perspiration, in the form of washes for ulcerative weaknesses, and for many sensitive antiseptic purposes which readily suggest themselves to women, and especially mothers, and for all the purposes of the toilet, bath, and nursery. No amount of persuasion can induce those who have once used it to use any other, especially for preserving and purifying the skin, scalp, and hair of infants and children. CUTICURA SOAP combines delicate emollient properties derived from CUTICURA, the great skin cure, with the purest of cleansing ingredients and the most refreshing of flower odors. No other medicated soap ever compounded is to be compared with it for preserving, purifying, and beautifying the skin, scalp, hair, and hands. No other foreign or domestic toilet soap, however expensive, is to be compared with it for all the purposes of the toilet, bath, and nursery. Thus it combines in ONE SOAP all that the most skin and complexion soap, the most toilet and most baby soap in the world.

Complete External and Internal Treatment for Every Humour. Consisting of CUTICURA SOAP, to cleanse the skin of cruds and scales, and to soothe the thickened cuticle, CUTICURA Ointment, to instantly allay itching and irritation and soothe and heal, and CUTICURA RESOLVENT, to cool and cleanse the blood. Aust. Depot: R. Towns & Co., Sydney, N. S. W. So. African Depot: LENOX LTD., Cape Town.

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CHINA	JULY 4	NIPPON MARU	JULY 1
DORIC	JULY 14	PERU	JULY 3
NIPPON MARU	JULY 24	COPTIC	JULY 13
PERU	AUG. 1	AMERICA MARU	JULY 28
COPTIC	AUG. 17	PEKING	AUG. 3
AMERICA MARU	AUG. 17	GAILIC	AUG. 13
PEKING	AUG. 24	HONGKONG MARU	AUG. 28
GAILIC	SEPT. 3	CHINA	AUG. 27
HONGKONG MARU	SEPT. 11	DORIC	SEPT. 4
CHINA	SEPT. 19	NIPPON MARU	SEPT. 13

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AGENTS.

WERE DOUBTFUL OF JUDGE HUMPHREYS

Litigants Who Did Not Dare
Trust Themselves in
His Court.

A prominent attorney, speaking with reference to the proceedings of the Bar Association, stated that the presence of Judge Humphreys on the bench has had such a derogatory effect that important litigation which is and has been on the tapis, has been withheld from the courts because the parties interested did not believe their actions would be heard with fairness and impartiality.

The attorney cited an instance in which litigation involving nearly \$2,000,000 was about to have been brought before the Circuit Court last year, but on account of the actions of the presiding judge towards attorneys in general, and his partisan attitude in the local political arena, both counsel and intending litigants had agreed to refrain outside the pale of the court.

So certain were the interested parties that justice could not be had in Judge Humphreys' court by reason of his bias and prejudice toward certain elements of the community not in accord with his views that the matter is still awaiting settlement, and the probability that it will be decided by the Supreme Court.

abilities are that the whole trouble will be compromised outside of the court.

Since the announcement a few weeks ago that J. Pierpont Morgan had arranged to buy the Leyland line of ocean steamships, there has been much speculation as to what he will do with his purchase. It is now the indication that the transaction was made in the interest of the Erie Railroad.

The commissioner of the Land Office in a decision lays down the principle that any occupied land is not subject to a forest lien land scrip location, and that in such cases the question as to whether the land involved is of a mineral or non-mineral character is not material.

The agricultural returns of Great Britain for 1900, which have just been issued, show that the decline of British agriculture pursues its steady course. The area under corn crops in Great Britain, which in 1870 occupied 5,548,000 acres, has fallen to 7,335,000 acres.

The Tennessee Coal, Iron and Railroad Company has made a contract with the Mexican Central Railroad to supply it with 150,000 tons of coal, the delivery to cover a period of months. The order is the largest single export contract ever booked in Alabama.

It is expected that Russia will soon be able to supply her own needs in coal, according to a consular report. General De Wet has reentered the Transvaal with 25,000 men, and resumed active operations.